

Nays—Senators Dillard, Franks, Henry and Word—4.
Senator Fountain introduced a bill to define and establish the boundary line between the counties of Live Oak and Nueces. Read first time and referred to the Committee on Counties and County Boundaries.

Also, a bill to incorporate the El Paso Real Estate, Trust and Immigration Company. Read first time and referred to Judiciary Committee No. 1.

Senator Cole moved to adjourn until 10 o'clock to-morrow. Lost by the following vote:

Yeas—Senators Ball, Cole, Hall, Randle and Tracy—5.

Nays—Senators Avinger, Baker, Dohoney, Evans, Ford, Finlay, Flanagan, Fountain, Franks, Gaines, Henry, King, Rawson, Ruby, Saylor, Sayers, Shelley, Swift, Tendick and Word—21.

The special order, viz., Senate bill No. 145, "An act for the relief of the Eastern Texas Railroad Company, passed twenty-sixth of March, A. D. 1871," was taken up.

Senator Dohoney moved to engross the bill.

Senator Franks offered the following amendment: Strike out all of section one, after the word "road," in line eighteen.

On motion of Senator Tracy, the Senate adjourned till 10 o'clock to-morrow.

SENATE CHAMBER,
AUSTIN, TEXAS, March 12, 1873. }

Senate met pursuant to adjournment. Roll called; quorum present. Prayer by the chaplain.

Journal of yesterday read and adopted.

Senator Dohoney presented a memorial of N. P. Lawson, praying for an act requiring land certificates to issue to the heirs of Joseph Percival. Read and referred to the Committee on Private Land Claims.

A message was received from the House, informing the Senate that the House had passed Senate bill No. 63, "An act to prohibit the sale of intoxicating or spirituous liquors in the vicinity of Red Rock, in the county of Bastrop."

Senate joint resolution No. 22, "Authorizing the Governor to adjust the matter of the hypothecation of certain bonds with Williams & Guion, in the city of New York."

Senate bill No. 133, supplemental to "An act to incorporate the Western Narrow Gauge Railway."

Senate joint resolution No. 10, "Requiring Jacob Keuchler, Commissioner of the General Land Office, to cause to be published certain land certificates found in the office when he took possession of the same."

Senate bill No. 17, "An act to incorporate Rusk Masonic Institute, located in Rusk, Cherokee county, Texas."

Senate bill No. 130, "An act to incorporate the Excelsior College, in Bastrop county."

House bill No. 374, "An act to be entitled an act amendatory of an act to re-incorporate the city of Navasota."

Senator Finlay, chairman of Judiciary Committee No. 2, submitted the following reports:

Hon. E. B. Pickett, President of the Senate:

SIR: Your Committee on Judiciary No. 2, to whom was referred House bill No. 27, to be entitled "An act in relation to fences in certain counties," have carefully considered the same, and I am instructed to report it back to the Senate with the recommendation that it do pass, and also that one hundred copies be printed.

GEO. P. FINLAY, Chairman.

Hon. E. B. Pickett, President of the Senate:

SIR: Your Committee on Judiciary No. 2, to whom was referred House bill No. 38, to be entitled "An act to incorporate the Falls County Real Estate and Savings Association," having carefully considered the same, I am instructed to report it back to the Senate, and recommend its passage.

GEO. P. FINLAY, Chairman.

Hon. E. B. Pickett, President of the Senate:

SIR: Your Committee on Judiciary No. 2, to whom was referred Senate bill No. 158, entitled "An act amendatory of an act entitled an act incorporating the city of San Antonio and other towns therein named, approved December 14, 1837; and also amendatory of an act entitled an act to amend an act incorporating the town of Bastrop, approved February 1, 1845," having carefully considered the same, I am instructed to report it back to the Senate, and recommend its passage.

GEO. P. FINLAY, Chairman.

Senator Avinger, chairman of the Committee on Counties and County Boundaries, submitted the following report:

Hon. E. B. Pickett, President of the Senate :

SIR: Your Committee on Counties and County Boundaries, to whom was referred Senate bill No. 78, a bill to be entitled "An act for the removal of the county seat of Montgomery county from the town of Montgomery, and for its permanent location at the town of Willis, on the H. & G. N. R. R.," have carefully examined the same, and instruct me to report it back with the accompanying substitute, and recommend its adoption and passage.

H. J. AVINGER, Chairman.

Senator Dohoney, chairman of the Committee on Education, submitted the following report:

Hon. E. B. Pickett, President of the Senate :

SIR: Your Committee on Education having had under consideration Senate bill No. 167, "An act to incorporate the Jefferson Institute, of Jefferson, Texas," ask leave to report the same back to the Senate, and recommend its passage.

E. L. DOHONEY, Chairman.

Senator Rawson offered the following resolution:

WHEREAS, The President of the United States, Gen. U. S. Grant, has manifested an intention at an early day of visiting the southern section of our country; and

Whereas, In common with other loyal portions of the Union it is proper we should express the cordiality and hospitality with which we welcome this intention; therefore, be it

Resolved by the Senate of the State of Texas, That for and in behalf of the people of this State, the Governor be and he is hereby authorized and requested to write the President, General Grant, to visit Texas during his Southern tour, and to fittingly express to our nation's chief magistrate the sentiments of loyalty and devotion to national unity and prosperity, Texas with her sister States now earnestly and heartily desires.

Senator Shelley moved to amend the resolution by striking out the words "loyal and loyalty." Adopted.

Senator Flanagan moved to amend by striking out the word "fittingly," and inserting "respectfully." Adopted.

Senator Finlay offered the following substitute for the resolution offered by Senator Rawson:

WHEREAS, Gen. U. S. Grant, President of the United States, has manifested his intention to visit the Southern States in the next few months; therefore, be it

Resolved by the Senate, That President U. S. Grant be cordially and respectfully invited to extend his visit to the capital of our State, and that the Governor be requested to transmit to the President a copy of this resolution.

The substitute was adopted by the following vote :

Yeas—Senators Avinger, Baker, Ball, Broughton, Cole, Dohoney, Evans, Ford, Finlay, Flanagan, Fountain, Franks, Gaines, Hall, Henry, Latimer, Rawson, Randle, Ruby, Saylor, Sayers, Shelley, Swift, Tendick, Tracy, and Mr. President—26.

Nays—Senators Dillard and Word—2.

Senator Latimer, chairman of the Committee on Enrolled bills submitted the following report :

Hon. E. B. Pickett, President of the Senate:

SIR: I have the honor to report that I have this day, at 10:30 o'clock A. M., presented to His Excellency the Governor, for his approval and signature, Senate joint resolution No. 7, in reference to the interment of Texas soldiers, who fell at the battles of Glorietta and Valverde, and also of those who were buried at Socorro, Albuquerque and Santa Fé, in New Mexico, during the late war.

H. R. LATIMER, Chairman.

Senator Flanagan introduced a bill to provide for the assessment and collection of taxes on railroads. Read first time and referred to the Committee on Finance.

Senator Latimer offered the following resolution :

Resolved, That the chairmen of the Committees on Enrolled and Engrossed Bills be authorized to employ such assistance as may be necessary to carry on the the business before said committees when the same may become necessary.

Senator Sayers offered the following substitute :

Resolved, That the clerk of special committee of investigation be required to assist the enrolling clerk in the discharge of his duties.

Substitute adopted.

Senator Dohoney offered the following resolution :

Resolved, That the clerk of the Committee on Finance be required to perform such clerical labor as may be necessary for the Committee on Education.

Senator Franks offered the following substitute :

Resolved, That the various committee clerks of the Sen-

ate, when not actually employed by their respective committees, shall be under the direction and control of the secretary of the Senate, and do and perform such labors as shall be apportioned them by said secretary.

Lost.

Senator Swift introduced "An act to prohibit the sale of intoxicating liquors within two miles of Linn Flat High School House, in Nacogdoches county." Read first time and referred to the Committee on Education

Senator Swift offered the following resolution, which was adopted :

Resolved, That a special committee of five be appointed to apportion and redistrict the State into senatorial and representative districts.

The President appointed the following committee: Senators Swift, Henry, Latimer, King and Finlay.

On motion of Senator Finlay, the rules were suspended to take up out of its order House bill No. 309, "An act to repeal the third, twenty-sixth and twenty-seventh sections, and to amend the first and eighth sections of an act entitled an act to provide for the enrollment of the militia, the organization and discipline of the State Guards, and for the public defense, approved June 24, 1870, and to repeal the first section of an act to amend an act to provide for the enrollment of the militia, the organization and discipline of the State Guards, and for public defense, approved June 24, 1870, approved April 12, 1871."

The bill was read first time, made special order at eleven o'clock to-morrow, and from day to day until disposed of, and one hundred copies ordered printed.

The unfinished business of yesterday, viz., "An act for the relief of the Eastern Texas Railroad Company, passed twenty-sixth day of March, 1871," was then taken up.

Pending amendment by Senator Franks, viz., strike out all of section first after the word "road," in line eighteen, was laid on the table by the following vote :

Yeas—Senators Avinger, Ball, Broughton, Cole, Dillard, Dohoney, Finlay, Flanagan, Henry, King, Latimer, Rawson, Randle, Saylor, Sayers, Shelley, Swift, Tracy, Word and Mr. President—20.

Nays—Senators Evans, Ford, Franks, Gaines, Hall and Ruby—6.

Senator Dohoney offered the following amendment,

which was adopted: Amend by striking out all after the word "charter," in line twenty-three, and before the word "together," in line twenty-five.

Senator Broughton offered the following amendment, which was adopted: Amend by changing section two to section three, and insert the following as section two: "*Be it further enacted*, That the said company shall be required to construct their trunk road to the town of Sherman, in Grayson county."

The bill as amended was then read third time, and passed by the following two-thirds vote:

Yeas—Senators Avinger, Ball, Broughton, Dillard, Dohoney, Evans, Finlay, Flanagan, Fountain, Henry, King, Latimer, Pyle, Rawson, Randle, Saylor, Sayers, Shelley, Swift, Tendick, Tracy, Word and Mr. President—23.

Nays—Senators Baker, Ford, Franks, Gaines and Hall—5.

The following message was received from his Excellency the Governor:

EXECUTIVE OFFICE, STATE OF TEXAS, }
AUSTIN, March 10, 1873. }

To the Honorable Senate and House of Representatives of the State of Texas:

GENTLEMEN: I have the honor to inform you that the following named acts and resolutions have been received by me and approved, to-wit:

Senate bill No. 9, "An act making an appropriation for the mileage and per diem pay of the members, and the per diem pay of the officers and employes of the Thirteenth Legislature," approved January 27, 1873.

House bill No. 18, "An act to amend the first section of article two, of title two, of an act to incorporate the city of Galveston, and to grant a new charter to said city, and to repeal all acts heretofore passed incorporating said city, which may be in force by virtue of any existing charter, approved May 16, 1871," approved January 30, 1873.

House bill No. 71, "An act to be entitled an act to authorize the Comptroller of Public Accounts to receive from the Secretary of the Treasury of the United States the balance remaining of the fund appropriated by the acts of September 9, 1850, and February 28, 1855, for the payment of the creditors of the late Republic of Texas," approved January 30, 1873.

House bill No. 44, "An act to incorporate the city of Brenham, and to grant a new charter to said city," approved February 4, 1873.

Senate bill No. 23, "An act to amend an act entitled an act to incorporate the city of Tyler, and to provide for the administration of its municipal affairs, approved April 26, 1871," approved February 7, 1873.

House bill No. 59, "An act to amend an act entitled an act to re-incorporate the city of Navasota, Grimes county, and to grant a new charter to said city, and to repeal an act approved October 27, 1866, incorporating the city of Navasota," approved February 8, 1873.

Senate bill No. 40, "An act to renew and continue in force an act entitled an act to charter the Nacogdoches University, approved February 3, 1845," approved February 11, 1873.

House bill No. 198, "An act requiring the next term of the District Court of Trinity county to be held at the town of Trinity," approved February 13, 1873.

House bill No. 186, "An act to incorporate the town of Gainesville, in Cooke county," approved February 17, 1873.

House bill No. 106, "An act to provide for the public printing," approved February 17, 1873.

House bill No. 22, "An act to incorporate the city of Fort Worth, in the county of Tarrant," approved February 17, 1873.

House bill No. 187, "An act to amend section seven (7) of an act entitled an act prescribing the times of holding the district courts in the several judicial districts in the State, approved August 10, 1870," approved February 17, 1873.

Senate Joint resolution No. 5, "Joint resolution to require the payment of treasury warrants without regard to date or number," approved February 19, 1873.

House bill No. 231, "An act to authorize the county of Marion to issue interest-bearing bonds for the building of a court house and jail in said county," approved February 22, 1873.

House bill No. 194, "An act to incorporate the town of Pine Hill, in Rusk county," approved February 22, 1873.

Senate bill No. 37, "An act to create the county of Rockwall," approved March 1, 1873.

House bill No. 8, "An act to incorporate the city of

Sulphur Springs," in the county of Hopkins, approved March 4, 1873.

Senate joint resolution No. 17, "Joint resolution instructing and requesting our Congressional delegation to urge upon Congress the survey and construction of a ship canal across the Peninsula of Florida," approved March 4, 1873.

Senate bill No. 69, "An act to expedite the decision of criminal cases by the Supreme court," approved March 4, 1873.

Senate Joint resolution No. 18, "Joint resolution authorizing the Governor to offer a reward of \$5000 for the apprehension and conviction of the murderer of the Hon. Louis Frankee, and making an appropriation therefor," approved March 4, 1873.

House bill No. 112, "An act to amend an act prescribing the times of holding the district courts in the several judicial districts in the State, approved August 10, 1870, approved October 13, 1871," approved March 4, 1873.

House bill No. 101, "An act granting a charter to Hugh P. Clark, to create, and keep, and run a ferry-boat at or near the northeast corner of the Hugh Neal survey, on Sabine river, in Van Zandt county," approved March 6, 1873.

House bill No. 201, "An act to amend and consolidate the several acts incorporating the town of Gonzales," approved March 6, 1873.

House bill No. 282, "An act to authorize the levy and collection of a special tax in Gonzales county," approved March 6, 1873.

House bill No. 235, "An act to incorporate the city of Denison," approved March 7, 1873.

House bill No. 157, "An act amendatory of and supplementary to an act to incorporate the city of Dallas, approved April 20, 1871," approved March 8, 1873.

House bill No. 85, "An act directing the publication of the expenditures, assets and indebtedness, of the several counties," approved March 8, 1873.

House bill No. 77, "An act to establish the county seat of Kinney county," approved March 8, 1873.

The following bills, not having been returned by me to the house in which they originated within the time prescribed by the Constitution, have become laws without my approval:

"An act to repeal an act entitled an act to provide for the appointment by the Governor of certain officers to fill vacancies, approved June 28, 1870 "

"Joint resolution authorizing the Comptroller and Treasurer each to employ two additional clerks."

Very respectfully,

EDMUND J. DAVIS, Governor.

Senator Broughton introduced a bill to be entitled "An act to incorporate the city of Sherman." Read first time and referred to the Committee on State Affairs.

On motion of Senator Fountain, the rules were suspended to take up out of its order Senate bill No. 159, "An act to provide for frontier defense, and for the organization of a regiment of cavalry for that purpose."

On motion of Senator Fountain, the Senate resolved itself into a committee of the whole to consider the bill.

The committee rose, reported sundry amendments, and asked to be discharged from its further consideration.

Senator Latimer, chairman of the Committee on Enrolled Bills, submitted the following report:

Hon. E. B. Pickett, President of the Senate:

SIR: Your Committee on Enrolled Bills have carefully examined and compared Senate joint resolution No. 22, "Authorizing the Governor to adjust the matter of the hypothecation of certain bonds with Williams & Guion, in the city of New York," and find the same correctly enrolled.

H. R. LATIMER, Chairman.

Senator Swift offered the following resolution:

Resolved, That a special committee of three be appointed to visit the State Lunatic Asylum, in company with the committee of the House, to make an examination of said institution, and that said committee be authorized to investigate the management and conduct of the institution, and report thereon to the Senate.

The resolution was adopted, and the following committee appointed, viz.: Senators Swift, Fountain and Avinger.

On motion of Senator Flanagan the Senate adjourned to 10 o'clock A. M. to-morrow.